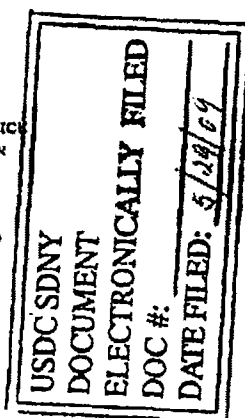


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ROY BLACK  
HOWARD M. SREBNICK  
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LARRY A. STUMPF  
MARIA NEYRA  
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MARK A.J. SHAPIRO  
JARED LOPEZ



BLACK  
SREBNICK  
KORNSPAN  
& STUMPF  
==P.A.==

MEMO ENDORSED

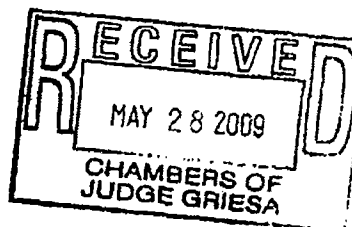
JESSICA FONSECA-NADER  
KATHLEEN P. PHILLIPS  
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May 27, 2009

**By Hand Delivery**

Honorable Thomas P. Griesa  
United States District Judge  
Southern District of New York  
500 Pearl Street, Room 1630  
Courtroom 26B  
New York, NY 10007-1312



RE: United States v. Mario S. Levis,  
Case No. 08-Cr-181 (TPG)

Dear Judge Griesa:

We respectfully request an unopposed adjournment of the September 14, 2009 trial date. The basis for the adjournment is the expected production of additional discovery by the government. In order to allow sufficient time for this discovery and to accommodate other scheduling commitments, we propose, without objection from the government, a trial date in March 2010. The parties understand from your Courtroom Deputy John Beale that the Court's calendar is clear during that time period.

As represented by the government this morning, the additional discovery to be produced will be divided into a Concordance database and hard copy documents as itemized below:

**Concordance**

Banco Popular -- 4,100 pages  
Doral Documents to the Southern District -- 6,300 pages  
Countrywide -- 11,000 pages  
Deutsche Bank -- 465 pages  
Merrill Lynch -- 28,000 pages  
UBS -- 26,700 pages  
KPMG -- 94,600 pages

*adjournment of 9/13 trial date granted. There will be a conference after 8/1 to schedule a trial date.*  
*T. P. Griesa 10/5/09*

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DEFENDANT'S  
EXHIBIT

Lens 106

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Page 2

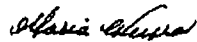
Federal Reserve -- 1,250 documents (pages unknown)  
Firstbank -- 39,500 documents (pages unknown)  
R&G -- 14,800 documents (pages unknown)

Hard copy documents:

Morgan Stanley -- a copy of phone records (maybe 150 pages) and a  
calendar - 90 pages  
PWC -- 250 pages  
UBS -- 2 pages  
Wachovia -- 880 pages

The adjournment is needed in order for the defense to conduct a meaningful review of the estimated 400,000 pages of additional discovery. Towards this end, the parties have already started working together to have the additional data delivered and processed as quickly as possible. The defendant, Mario S. Levis agrees that the period of delay between September 14, 2009 and March 2010, is excludable time under the Speedy Trial Act, 18 U.S.C. § 3161 et seq. Thank you for your consideration.

Most respectfully,



Maria Neyra, Esq.

Cc:  
Christopher Garcia  
William Stellmach  
Daniel Braun  
Jason Anthony

MN/gb

Black, Srebnick, Kornspan & Stumpf, P.A.

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